

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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JORGE MIRANDA-RIVAS,

Case No. 3:16-cv-00663-MMD-VPC

Petitioner,

ORDER

v.

HAROLD WICKHAM, *et al.*,

Respondents.

Before the Court are the amended petition for writ of habeas corpus (ECF No. 10), petitioner's motion for leave to file a second amended petition (ECF No. 12), respondents' opposition (ECF No. 13), and petitioner's reply (ECF No. 14). Petitioner notes correctly in his reply that the Court had the same issue before it in *Toribio-Ruiz v. Baca*, Case No. 3:14-cv-00492-MMD-WGC. Petitioner quotes extensively from the Court's order in that case, granting leave to file a second amended petition. (ECF No. 14, at 6-7.) The Court's reasoning in *Toribio-Ruiz* applies with equal strength in this case.

It is therefore ordered that petitioner's motion for leave to file a second amended petition (ECF No. 12) is granted. Petitioner will have ninety (90) days from the date of entry of this order to file and serve a second amended petition for a writ of habeas corpus.

DATED THIS 8<sup>th</sup> day of February 2017.



MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE